

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

RACHEL WELTY and AFTYN BEHN,

Plaintiffs,

v.

**BRYANT C. DUNAWAY, JASON
LAWSON, JENNINGS H. JONES,
ROBERT J. CARTER, RAY WHITLEY,
ROBERT J. NASH, GLENN FUNK,
STACEY EDMONSON, BRENT COOPER,
RAY CROUCH, and HANS
SCHWENDIMANN,**

Defendants.

**Case No. 3:24-cv-00768
Judge Aleta A. Trauger**

ORDER

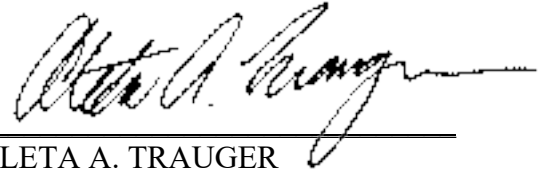
For the reasons explained in the accompanying Memorandum, the plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction (Doc. No. 18) is hereby **GRANTED**, subject to the terms of this Order. The defendants' Motion to Dismiss (Doc. No. 25) is **GRANTED** with regard to Welty's claims against defendants Dunaway, Carter, Cooper, and Schwendimann, and those claims are **DISMISSED**, but the motion is otherwise **DENIED**. Welty's other claims and Behn's claims against all defendants remain pending.

It is hereby **ORDERED** that no defendant shall enforce the recruitment provision of Tenn. Code Ann. § 39-15-220, other than in connection with obtaining or attempting to obtain an actually unlawful abortion. For the purposes of this Order, "actually unlawful abortion" means an abortion that necessarily involves the violation of a criminal law, other than Tenn. Code Ann. § 39-15-220, that is applicable in the jurisdiction where the relevant conduct is performed.

“Actually unlawful abortion” does not include abortion procedures that are legal in the state where performed or self-managed abortions performed with lawfully obtained medication.

The initial case management conference is **RESET** for November 18, 2024 at 3:00 p.m.

It is so **ORDERED**.

A handwritten signature in black ink, appearing to read 'Aleta A. Trauger', written over a horizontal line.

ALETA A. TRAUGER
United States District Judge